

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

Richard A. Waite

v.

Case No. 22-cv-71-SE-AJ

Chaplain D. Hoyt et al.

ORDER

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated April 18, 2024. For the reasons explained therein, the plaintiff's motion to amend (Doc. No. 10) is denied to the extent that he seeks to add any Laaman settlement agreement claims, and denied to the extent that he seeks to add any Fifth Amendment Takings Clause claims, and is otherwise denied, without prejudice to his ability to file up to three new complaints, initiating new cases, in which he may litigate his Eighth Amendment dental care claims, his Eighth Amendment sleep deprivation claims, and his Sixth Amendment and Fourteenth Amendment legal mail claims.

“[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.” School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir. 1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).



Samantha D. Elliott
United States District Judge

Date: May 15, 2024

cc: Richard A. Waite, pro se
Nathan W. Kenison-Marvin, Esq.